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February 4, 2013

**VIA E-MAIL AND ORDINARY MAIL**

Ms. Molly Miller  
U.S. Environmental Protection Agency, Region 4  
Pesticides & Toxic Substances Branch (PTSB)  
61 Forsyth Street SW  
Atlanta, GA 30303

**Re: Cell Pak, LLC's Response to U.S. EPA's Notice of Warning for Sale and Distribution of an Unregistered Pesticide of January 17, 2013  
Case File No. FIFRA-04-2013-3253.**

**Our File No.: 153101**

Dear Ms. Miller:

This letter will serve as Cell Pak, LLC's follow-up response to U.S. EPA's January 17, 2013 Notice of Warning for Sale and Distribution of an Unregistered Pesticide (the "NOW" or "Notice of Warning") directed to Cell Pak concerning its Supreme Plus cellulose insulation. Consistent with our discussion during our telephone conference on January 24, 2013, this letter expands upon my e-mail correspondence to you dated January 28, 2013. Thank you for the opportunity to present Cell Pak's position regarding this matter in writing for consideration by U.S. EPA.

As you are aware, EPA issued its NOW to Cell Pak on January 17, 2013, regarding Cell Pak's Supreme Plus cellulose insulation product. EPA alleges in the NOW that Cell Pak is "in violation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136g(c)(3)." Specifically, EPA asserts that, "[b]ecause Supreme Plus Cellulose Insulation does not qualify for the Treated Article Exemption, it is fully regulated as a pesticide under FIFRA" and that it was unlawful for Cell Pak to distribute the product without first registering it as a pesticide. As we discussed, however, Cell Pak respectfully submits that the Supreme Plus product falls squarely within the Treated Article Exemption and that EPA's apparent conclusion to the contrary is based upon a fundamental misunderstanding of the product or is otherwise mistaken. Accordingly, Cell Pak requests that the Agency reconsider its conclusion before undertaking any further enforcement action with regard to this matter.

When we spoke by telephone, I requested that Cell Pak be provided with an opportunity to explain its position to EPA in writing concerning the product, and/or through a face-to-face meeting between representatives of Cell Pak and EPA. You requested that Cell Pak provide the Agency with a brief e-mail response to the NOW setting forth its basic position by January 28, 2013, which Cell Pak has done. Additionally, you indicated that Cell Pak should provide a more complete

response to the NOW by Monday, February 4, 2013. Accordingly, this letter shall serve as Cell Pak's follow-up response.

The NOW issued in this matter apparently stems from an inspection conducted on or about September 26, 2011, and October 3, 2011, at Cell Pak's Decatur, Alabama facility. Cell Pak's facility was the subject of an unscheduled inspection by the Alabama Department of Agriculture and Industries ("ADAI"), acting as an agent for U.S. EPA, Region 4. The stated purpose of the inspection was to determine Cell Pak's compliance with FIFRA concerning the Supreme Plus product. ADAI obtained product packaging, brochures and sales records from Cell Pak as part of the inspection. Cell Pak cooperated with the inspection, providing the requested documents and materials and permitting the ADAI full access for the inspection. Based upon statements made by the inspectors, Cell Pak learned that the inspection was likely triggered at the behest or instigation of a competitor of Cell Pak in the cellulose insulation market.

Cell Pak had no substantive discussions with ADAI concerning the compliance status of the Supreme Plus product under FIFRA at the time of the inspection, (except to state in a letter transmitting certain documents to ADAI that Cell Pak believed the product to be fully within FIFRA's "treated article" exemption). Nor did Cell Pak ever receive any communication from ADAI or U.S. EPA concerning the compliance status of the product under FIFRA in the more than 14-month period that ensued following the inspection, until receipt of the NOW. As a result, prior to receipt of the NOW, Cell Pak was never provided with an opportunity to offer either agency any explanation of why Cell Pak believes the product is exempt from registration under the "treated article" exemption.

As we discussed, it has been Cell Pak's intention to market the Supreme Plus product as a "treated article" within the meaning of the treated article exemption set forth at 40 CFR 152.25(a). As you know, the treated article exemption provides that certain treated articles and substances are exempt from regulation under FIFRA, if specific conditions are met. The specific language of the treated article exemption provides as follows:

**152.25 Exemptions for pesticides of a character not requiring FIFRA regulation.**

The pesticides or classes of pesticides listed in this section have been determined to be of a character not requiring regulation under FIFRA, and are therefore exempt from all provisions of FIFRA when intended for use, and used, only in the manner specified.

(a) *Treated articles or substances.* An article or substance with, or containing a pesticide to protect the article or substance itself (for example, paint treated with a pesticide to protect the paint coating, or wood products treated to protect the wood against insect or fungus infestation), if the pesticide is registered for such use.

40 CFR 152.25(a).

Thus, under the treated article exemption, "an article or substance treated with, or containing, a pesticide to protect the article or substance itself," is exempt from regulation [under FIFRA] "if the pesticide is registered for such use." Accordingly, there is a two-part test for ascertaining whether a product is a treated article. As explained by U.S. EPA, the article is an exempt treated article if (1) the incorporated pesticide is registered for use in or on the article or substance, and; (2) the purpose of the treatment is to protect the article or substance itself. U.S. EPA, Pesticide Registration Notice 2000-1, March 6, 2000.

Cell Pak has developed and marketed the Supreme Plus product as a treated article under FIFRA. The product is treated with Zone Defense®, a pesticide manufactured by InCide Technologies, Inc., and registered for use in protecting cellulose insulation from infestation by certain pests including cockroaches, ants and silverfish, among others. Additionally, Cell Pak has scrupulously avoided making any labeling or marketing claims concerning Supreme Plus beyond certain claims that the product is treated with Zone Defense® in order to protect the product itself from infestation by certain enumerated pests. For instance, the package for Supreme Plus contains the following language:

"Supreme Plus cellulose insulation contains the additive, Zone Defense®, an insecticide registered with the EPA for use in cellulose insulation. Supreme Plus has been treated with Zone Defense® to help prevent infestation within the insulation of certain insect species, such as cockroaches, ants and silverfish. The addition of Zone Defense insecticide to help prevent infestation of certain insect species within the insulation does not infer insecticide protection outside the Supreme Plus."

As explained on the label, Cell Pak claims only that the insulation is treated with Zone Defense® to "help prevent infestation of the insulation" itself by certain pests. The label specifically disclaims any broader pesticidal effect, by stating that the Zone Defense® "does not confer insecticide protection outside of the Supreme Plus insulation" itself. Similarly, the product brochure for Supreme Plus also limits claims concerning Zone Defense® to protection of the cellulose insulation itself from certain enumerated pests, and further disclaims any broader pesticidal purpose or effect. Thus, on the face of it, Supreme Plus satisfies both aspects of the treated article test because: (1) it is treated with a pesticide registered for use on cellulose insulation; and (2) the purpose of the treatment is to protect the article itself -- particularly given that Cell Pak limits its labeling and marketing claims to protection of the product and specifically disclaims any broader pesticidal effect or purpose.

In the NOW issued to Cell Pak, U.S. EPA reached a contrary conclusion, contending that Cell Pak is in violation of FIFRA because the product does not qualify for the treated article exemption and therefore sale or distribution of the product would constitute sale or distribution of an unregistered pesticide. The Agency explained its reasoning as follows:

Cell Pak, LLC represents that Supreme Plus Cellulose Insulation qualifies for the "Treated Article Exemption" of FIFRA, 40 C.F.R. § 152.25(a). In order to qualify for this exemption of all requirements of FIFRA, the product must be both treated with a pesticide registered for that use, and limit the protection to the article itself. Supreme Plus Cellulose Insulation meets the first part by incorporating a pesticide

registered for use in cellulose insulation to control pests, but fails to meet the second requirement in that the insulation claims to be protected against insects which do not actually harm insulation. The only reason to treat insulation to protect against these insects is to actually provide pest control to the structure where the insulation is installed, which is not an allowable use of this exemption.

NOW, p. 1.

EPA acknowledged in the NOW that Cell Pak's Supreme Plus meets the first part of the treated article test, because it incorporated a pesticide registered for use in cellulose insulation to control pests. As a result, the question of whether Supreme Plus meets the first portion of the treated article test is not in dispute. Inexplicably, however, the Agency went on to assert that Supreme Plus was not entitled to the treated article exemption because the insects the insulation is protected against "do not actually harm insulation." Further, the Agency stated that the "only reason to treat insulation to protect against these insects is to actually provide pest control to the structure where the insulation is installed." Cell Pak is uncertain of the basis for these statements by U.S. EPA, but neither statement is correct.

Cell Pak has learned, however, that a competitor has "lobbied" for enforcement action against Cell Pak, and may have provided inaccurate information concerning the Supreme Plus product to U.S. EPA in doing so. Appendix A, the minutes of a meeting of the American Society of Pest Control Regulatory Officers in April, 2012, which TAP representatives are noted as having attended, recounts efforts by TAP Insulation (aka Pest Control Insulation Systems Inc.) to compel EPA to take enforcement action against Cell Pak for the Supreme Plus product. The minutes state that "TAP has talked to OECA [EPA's Office of Enforcement and Compliance Assurance] and OPP [EPA's Office of Pesticide Products] to get them to take action and there is an open investigation into the competitor. TAP Insulation intends to pursue this to its legal end." Appendix A, p. 12. The competitor is identified as Masco Corporation, Cell Pak's parent corporation. *Id.* More importantly, the minutes recount TAP's misleading statements or misunderstanding regarding the Supreme Plus product, which misstatements or misunderstanding may have been recounted to EPA by TAP as well. For instance, the minutes state that:

TAP Insulation (TAP) is a registered pesticide and has been for 10 years. The issue involves unfair competition from contractors attempting to sell *an insulation product that is said to provide the same benefit as TAP, however, is not registered as a pesticide.* The product in question is Supreme Plus by Masco with Zone Defense. Zone Defense has cellulose insulation is listed, but no rate or insects listed (sic). . . . The treated article clause is allowed only if the article needs to be protected (like wood for termites) – competitors have a cellulosic insulation product that does not need to be protected, termites do not eat this stuff, and other pests do not harm this insulation either.

*Id.* (emphasis added).

These statements are simply not accurate as explained in detail below. First, Cell Pak makes no claim that its product "provides the same benefits as TAP" – which makes broad pesticidal claims

regarding protecting the structure where it is installed based upon its status as a registered pesticide. Instead, Cell Pak specifically disclaims any protection beyond that provided to the insulation itself. Second, the statements that Supreme Plus “does not need to be protected” and that “termites don’t eat this stuff” are erroneous as well. Cell Pak does not even make any claim regarding termites – which *do in fact* eat cellulose insulation when it is not treated with a pesticide such as Zone Defense.<sup>1</sup> Further, as explained below, the pests against which Cell Pak protects the Supreme Plus insulation *are* harmful to the product. Finally, also as explained below, TAP labors under a misunderstanding that Cell Pak must somehow show that the pests against which its product are protected would “harm” the product by physically or structurally destroying it. This too represents a fundamental misunderstanding on the part of TAP regarding the treated article exemption and the nature of the protection which must be provided by the pesticide. In short, TAP’s assertions regarding the Cell Pak product are severely mistaken, and if conveyed to EPA, may well have led to the misunderstanding resulting in the NOW issued to Cell Pak.

Cell Pak submits that the Agency’s determination is mistaken as a matter of fact and law for several reasons. First, the pests against which the insulation is protected are indeed harmful to the product in multiple ways. For instance, many of the identified pests eat or destroy cellulose, paper or wood, and therefore, absent treatment of Supreme Plus with a pesticide such as Zone Defense®, these pests are “harmful” to and destructive of cellulose insulation made of recycled paper. By way of example, each of the pests identified on the Supreme Plus package label -- cockroaches,<sup>2</sup> ants<sup>3</sup> and silverfish<sup>4</sup> -- either eats cellulose or paper, or destructively bores into the same for purposes of nesting or habitat building. Other pests identified in the brochure, such as sow bugs, millipedes and book lice, may do likewise.<sup>5</sup> As a result, each of these pests poses a substantial threat of harm to the Supreme Plus insulation product. These and other identified insects may also bore into the insulation, creating pathways, potentially changing the density of the product and its insulation value or performance standards. See references in footnote 3 below, showing photographs of cellulose insulation damaged by pathways created by carpenter ant infestation. Still other identified pests are predators of the others (such as earwigs and centipedes, which feed on silverfish), and thus, absent protection of the insulation with a pesticide such as Zone Defense®, the product is vulnerable to infestation and destruction by silverfish, centipedes and earwigs.<sup>6</sup>

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<sup>1</sup> “When termites invade a home, they will eat anything that contains cellulose. They attack wood, cardboard, paper, and fabrics. They destroy boxes, books, photographs, and wallpaper.” <http://www.termite-control.com/termite-education/termite-facts/how-termites-survive-eating-only-wood/>

<sup>2</sup> Cockroaches “consume paper, clothing and plastic”; “do consume various household items (food, paper, clothing and so forth.” <http://www.newworldencyclopedia.org/entry/Cockroach>.

<sup>3</sup> Moisture ants eat cellulose and infest cellulose insulation. <http://www.classicinsulation.com/pest-control/moisture-ants.html>. Carpenter ants bore into wood and cellulose. <http://lancaster.unl.edu/enviro/pest/roachphoto.htm>, showing photographs of Black Carpenter Ant infestation of cellulose insulation. “Darkling beetles burrow into insulation material as they search for a safe pupation site?” <http://www.poultryventilation.com/tips> - See Vol. 17, No. 12.

<sup>4</sup> “[S]ilverfish and firebrats feed on all sorts of starchy substances including book bindings . . . and wall paper. They may also feed on paper. . .” <http://www.gardening.comell.edu/education/mgprogram/.../03insects.pdf>.

<sup>5</sup> Sow bugs “feed on rotting woody materials.” <http://web.extension.illinois.edu/homecompost/science.html>; Millipedes are detritivores and fungivores, feeding on decaying vegetation, dead wood and similar materials. <http://www.ext.colostate.edu/pubs/insect/05552.html>; Booklice are notorious paper eaters as evident from their name, eating microscopic molds and fungi that grow on food, wheat starch paste and paper. Appendix B.

<sup>6</sup> Earwigs and centipedes feed on silverfish. <http://en.wikipedia.org/wiki/Silverfish>.

Second, we note that, contrary to TAP Insulation's assertions, the treated article exemption does not incorporate any requirement that an article or substance be physically or structurally "harmed" by the pests against which it is intended to be protected to qualify for the exemption. Instead, the rule requires that the article be treated with a pesticide for protection from infestation by those pests. This is apparent from the language of the rule itself, which speaks of "[a]n article or substance treated with, or containing a pesticide *to protect the article or substance itself*" without any reference to "harm." Correspondingly, the rule speaks only of protection from "infestation" when it provides as an example of a treated article – "wood products treated to protect the wood against insect or fungus infestation." The Agency has further made clear in prior guidance that there is no prerequisite that the pests against which a treated article is protected must cause physical "harm" to the article beyond infestation. For instance, in its Pesticide Registration Notice 2000-1, March 6, 2000, the Agency acknowledges, in essence, that a product may be harmed in numerous ways by pests or antimicrobials, including the very act of infesting it and therefore making it undesirable to its end user, as the Agency has recognized with regard to scores of other treated article products that are protected from mildew, mold, fungus or other pests. For instance in PR Notice 2000-1, the Agency expressly recognizes that treated articles may protect the product against such things as destruction or damage, but also from purely aesthetic concerns caused by pests such as "discoloration," "stains," "odors," and "mildew." See PR Notice 2000-1, Section IV.B., allowing "treated articles" to make claims for protection from antimicrobials for "harm" in the form of "discoloration," "stains," "odors," and diminished "useful life." In short, if a "mildew resistant" shower curtain is sufficiently "harmed" by mildew and fungus to qualify for the treated articles exemption – even though the presence of the mildew or fungus will not actually destroy the curtain – the same is true of Cell Pak's Supreme Plus insulation, which (absent treatment with an additive like Zone Defense®) is subject to infestation by insects, including those that eat and destroy the product. However, regardless of whether a showing of "harm" is required in order for a product to qualify for the "treated article exemption, Cell Pak's Supreme Plus product meets that test by establishing such "harm" as explained above.

Third, the Agency's statement in the NOW that "[t]he only reason to treat insulation to protect against these insects is to actually provide pest control to the structure where the insulation is installed" – simply has no basis in fact. As explained above, there are multiple significant reasons to treat the cellulose insulation product itself from the identified pests. Further, Cell Pak makes no claim to treat the structure in which its product is installed and specifically disclaims on its product literature that this will occur. Cell Pak states on the label of the Supreme Plus product that the Zone Defense® "does not confer insecticide protection outside of the Supreme Plus insulation" itself. Similarly, in the product brochure, Cell Pak indicates that:

"[t]he addition of Zone Defense® insecticide to help prevent infestation of the insulation by certain insect species does not confer insecticide prevention outside of the Supreme Plus insulation."

Supreme Plus brochure, p. 1.

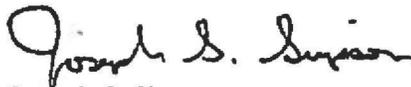
Thus, Cell Pak expressly disclaims any pesticidal protection for the structure where the insulation is installed. EPA's suggestion that the only reason to treat the insulation is to "provide pest control to the structure where the insulation is installed" is simply not accurate. There are multiple reasons to

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treat the insulation to protect it against pests as described above, and Cell Pak has specifically disclaimed in its product label and brochure that any broader pest control will occur in the structure where the insulation is installed.

In summary, Cell Pak's position is that its product fall squarely within FIFRA's treated article exemption as set forth at 40 CFR 152.25 and the NOW issued to Cell Pak was issued in error based on a misunderstanding of the relevant facts with regard to the product in question. Cell Pak is prepared to provide additional information in support of its position as requested or necessary. Cell Pak believes that a face-to-face meeting between Cell Pak representatives and U.S. EPA may assist in resolving this matter and therefore respectfully requests that such a meeting be scheduled. Moreover, for all of these reasons, Cell Pak respectfully requests that U.S. EPA reconsider its position in this matter.

Very truly yours,

  
Joseph S. Simpson

JSS/dl  
Enclosures

## **APPENDIX A**




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**ASPCRO BOARD OF DIRECTORS  
MIDYEAR MEETING MINUTES  
April 3-4, 2012**

The ASPCRO's Board of Directors 2012 Mid-Year Meeting was held April 3 – 4, 2012 at the Sheraton Seattle Hotel, Seattle, Washington.

**Attendees**

Board of Directors: Derrick Lastinger, President, Georgia Department of Agriculture; John Scott, Vice-President, Colorado Department of Agriculture; Grant Bishop, Treasurer, West Virginia Department of Agriculture;; Liza Fleeson, Secretary, Virginia Department of Agriculture and Consumer Services; Jay Kelly, Office of the Indiana State Chemist; Mike Page, Florida Department of Agriculture and Consumer Services; John Campbell, Mississippi Department of Agriculture, and Bonnie Rabe, Past President, New Mexico Department of Agriculture.

State Lead Agency Representatives: Dr. Davis Daiker, Florida Department of Agriculture and Consumer Services; Douglas Edwards, Virginia Department of Agriculture and Consumer Services; and Linda Johns, Montana Department of Agriculture.

Industry Representatives: Chris Gorecki, Orkin; Rick Bell, Arrow Exterminating; Jan Brill, Bayer; Brandon Ansley, TAP Insulation; Jonathon Berger, BASF; Carl Falco, DuPont Professional Products; Bob Rosenberg, NPMA; Judy Fersch, BASF; Karn Manhas, Terramera; Gabriel Lee, Terramera; and Jim Wright, BASF.

**Tuesday, April 3, 2012**

**Welcome and Opening Remarks**

Derrick Lastinger, President (GA), called the meeting to order at 8:14 AM (PDT) and welcomed attendees to ASPCRO's Board of Directors Mid-Year Meeting. Derrick Lastinger (GA) provided an overview of Board's activities since the Board of Directors 2011 Annual Meeting. Board activities include conference calls on November 9, 2011, January 4, 2012 and March 1, 2012; ASPCRO presentation at Full SFIREG Meeting (December 2011); and the Joint Association of American Pest Control Officials (AAPCO) and ASPCRO

Board of Directors Meeting (March 2012). Derrick Lastinger also announced that as a result of the organizations efforts, ASPCRO will now participate along with AAPCO in biannual meetings with the Environmental Protection Agency (EPA). These meetings provide the opportunity to raise specific issues with the EPA and to provide the state's perspective on pesticide-related matters in guidance to EPA.

Self introductions and a review of the agenda were completed. No modifications were made to the agenda at this time.

### **Treasurer's Report**

Grant Bishop, Treasurer, (WV), provided the Board with two Treasurer's Reports (attached): *2011 Banking Summary* (January 1 – December 31, 2011), and, *Dues – Year to Date* (January 1 – April 3, 2012).

The *2011 Banking Statement* provides a snapshot of last year's activities. For 2011, income totaled \$78,897.50 including States dues (\$4,200), annual meeting registration (\$28,965), subsidies (\$36,600), State Meeting Assistance Committee (\$8973.97) and interest. For 2011, expenses totaled \$59,723.20 and included annual and mid-year meeting expenses, travel and training as well as banking fees (shopping cart and virtual bank). The cash balance as of December 31 totaled \$19,174.30 (income less expenses). Grant Bishop expressed his thanks, on behalf of ASPCRO, to sponsors for their continued generosity.

The *Dues – Year to Date* provides an overview of the current membership. Through April 3, 2012, 21 States have become Members (new and renewing). Annual dues renewal notices were sent to all States on February 13, 2012. Discussion included the need to follow-up with those States that have not yet paid their dues and recognition that due to State budget restraints, some may not be able to join ASPCRO. The possibility of providing incentive to States that are not currently members to join were briefly discussed, for example, providing travel to Annual Meeting, if an invited speaker, but requiring dues following year to continue membership.

The current bank balance is \$65,448.35. This does not include ASPCRO's CD which totals \$21,730.28.

MOTION to accept Treasurer's Reports made by John Scott (CO); Second, Bonnie Rabe (NM); Board unanimously accepted reports.

ACTION ITEM: Grant Bishop will send a second notice to those States that have not yet renewed. In addition, a list of States that have not renewed including their contact information will be sent to the Board by May 1. The Board will contact states by phone regarding membership dues and will confirm contact information.

### **Approval of 2011 ASPCRO Annual Meeting Minutes**

MOTION to approve the 2011 Annual Meeting Minutes made by Liza Fleeson (VA); Second, Bonnie Rabe (NM); Board unanimously approved meeting minutes.

### **Executive Secretary Report**

Submitted by Lonnie Mathews (NM) and read into the record (attached).

### **Planning Committee Report**

John Scott (CO) provided an overview of the 2012 Annual Meeting which will be held at the Sheraton Seattle Hotel, Seattle, Washington, beginning on Monday, August 27 through Wednesday, August 29, 2012. Committee Meetings are scheduled for Saturday, April 25, 2012 and the Board of Directors Meeting will be held on Sunday, April 25, 2012.

To date, the Planning Committee has held several conference calls to discuss the conference agenda. The majority of speakers are confirmed with the exception of EPA (tentative). Activities include the Sponsors Reception (invitation only) at Columbia Tower on Saturday, April 25. There is a dress code for this event and transportation will be provided (bus will leave at 5:30 PM). ASPCRO will not be hosting a formal golf tournament on Sunday, however, the local pest control association is coordinating a golf outing for those that are interested. Paul Wagner is scheduled to open the Annual Meeting with the Commissioner, Washington Department of Agriculture, providing a formal welcome to attendees. Select agenda topics include: Monday - issues related to rodenticides and pyrethroids; bed bug efficacy and 25(b) products; endangered species; carpenter ants; and the Brown Marmorated Stink Bug; Tuesday – Fipronil issues; LEED building requirements including pest control elements; tour – Tuesday, Museum of Flight (also a LEED Building); and Wednesday – pest control in our ports including “first line of defense” discussion and panel – regulatory side of port of entry – security issues; Inspector safety, antigovernment sentiment and increasing frustration from public and PCOs; Meredith Laws is scheduled to discuss her personal experiences as a federal employee.

Once the agenda is final, it will be posted. The goal is May 1 for distribution. A “Save the Date” flyer was sent last month. In the interim, Vicki Cassens will need to set up the registration page for the website. Registration fee through August 1 is \$185. After, August 1, the registration fee increased to \$210. An additional fee is required for the Spouses Tour. There are no other additional fees. Registration includes the Sunday Opening Reception (sponsored by Orkin), breakfast Monday, Tuesday and Wednesday (sponsored by Arrow and Western Exterminators), and lunch Monday (sponsored by Terminix) and Tuesday as well as the Tour. Attendees do need to indicate if they will be attending the reception and tour for planning purposes.

Dan Suomi (OR) was recognized for his super work coordinating this meeting including the Spouse’s Tour. Options currently under consideration include the King Tut Exhibit, Space Needle, and a glass blowers exhibit, along with lunch and shopping.

Derrick Lastinger (GA) shared with the Board that PCT published an article after the 2011 Annual Meeting in Mobile AL which included an overview of the agenda sessions.

Finally, the 2013 Annual Meeting will be held in Atlanta GA. The 2013 meeting will be one week earlier than the traditional meeting (August 19 – 21, 2013). The Board Meeting will be on August 18, 2013. The location of the Board of Director’s Mid-Year Meeting for 2013 has not yet been decided. Discussion included the possibility that it be held in the State that will be hosting the 2014 meeting.

### **ASPCRO EPA Field Training**

Derrick Lastinger (GA) provided ASPCRO's history of hosting field training for EPA. The trainings, which have been held every two years, have proven to be helpful in solidifying relationship between our Agencies and EPA as well as between ASPCRO and EPA. Previous field trainings have included termite training (GA), fumigation (FL) and termite testing (MS). This training has provided real life experience which has been helpful to EPA as they make decisions regarding product labeling. The most recent training was coordinated by Grant Bishop (WV). The training was held on November 14 and 15, 2011 and took place in the District of Columbia, Virginia and West Virginia. This training expanded beyond termites. The Field Training included presentations and field activities related to: Rodenticide Risk Mitigation Decisions including the challenges in rodent control at the National Zoo and Apple Orchard as a result of the label amendment; Bed Bug Infestations and Treatment Options including inspections of infested, occupied units and the challenges in effective treatment; IPM in Schools including the challenges with implementation for both the facility and pest management professionals; and Brown Marmorated Stink Bug including both the Agricultural and Non-Ag Nuisance Pest issues and the challenges with control. Attendees include and Region 3 Staff representing Registration, Field and External Affairs Division (FEAD), and Biopesticides. ASPCRO received positive feedback from participants.

The question was posed if it was a good idea to hold the next event in DC? Derrick Lastinger indicated that the location actually worked against us as EPA HQ Staff, who had originally confirmed their attendance, could not get away because of work related issues or had to miss portions of the training. It was noted, however, that the specific topics may drive the location and that having multiple states participate demonstrated the differences in states' issues. Regarding possible future topics, discussion included the possibility of repeating what we've done in the past. Due to staff turnover, EPA has new people in decision making positions, thus Meredith Laws suggested termites. Linda Johns (MT) indicated that Montana may be a great place to demonstrate rodenticide issues because of open topography. Bonnie Rabe (NM) recommended a phosphine demonstration in a food processing plant or commodities fumigation operation and that we may want to consider inviting other federal agencies, for example, the FDA, to this kind of training. It was decided that the training plan for the November 2013 Field Training needs to be complete by April 2013.

## **Standing Committee Reports**

*Note: Committee Reports referenced in minutes will be posted separately.*

### **Bed Bug Committee**

Liza Fleeson (VA), Chair, provided a summary of the Committee's activities since the 2011 Annual Meeting and the priorities identified for 2012 during the Committee's April 2, 2012 Meeting (*see report*).

Since the Annual Meeting, select Committee activities include the drafting of the introductory information to appear on a webpage dedicated to bed bugs as well as an initial listing of links; submission of nominations to EPA's FIFRA Scientific Advisory Panel (SAP) considering methods for testing efficacy of bed bug products as well as both written and oral comments on the EPA's "Draft Product Performance Test Guidelines OCSPP 810.3900: Laboratory Testing Methods for Bed Bug Pesticide Products"; and assisting EPA with gathering outreach and education materials from State Lead Agencies for inclusion on the EPA Clearinghouse.

During the April 2, 2012 Committee Meeting, the following priority areas were identified:

1. Prophylactic Treatment for Bed Bugs – review of protocol and assisting in next steps;
2. Non-Chemical Treatments/Detection – research of currently available information and development of additional materials if needed; information to be posted on dedicated webpage;
3. Phase 2 Survey – development of the Phase 2 Survey in collaboration with interested parties; and
4. Label Initiative – continued work on problematic label language for both consumer and professional products.

Finally, the Bed Bug Committee has two new members: Karn Manhas and Gabriel Lee, both of Terramera BioSciences.

Board discussion included the draft webpage. Derrick Lastinger (GA) suggested that the Bed Bug Committee's webpage be used as a template for the other Committees when developing their introductory information for their dedicated webpage.

#### Communications Committee

Doug Edwards (VA) Co-Chair, provided a summary of the Committee's activities (*see report*).

ASPCRO has been previously notified that their website, which is currently hosted at Purdue University, will need to be removed from the NPIRS server. At the March 5, 2012 meeting of the Communications Committee, Vickie Cassens (Purdue University) confirmed the move and indicated that the project needs to be completed as soon as possible. The full Board, which was in attendance at the March 5 meeting, discussed the move in detail and the next steps were identified and agreed upon by the Board.

ASPCRO will purchase space from a web hosting company in order to house their existing website. The cost for this space is \$300 for a five year period (\$5.00 per month). This move will allow ASPCRO to expand the functionality of the new site, for example, assign members login rights/permissions, and increase ASPCRO's flexibility to make changes. This move also gives ASPCRO the opportunity to choose a new web template which better reflects the organization's mission and goals. To accomplish the move, Vicki Cassens (Purdue University) and her staff will transfer the existing ASPCRO web content over to the new space incorporating the new template. The transitioned web site will be designed in a fashion to allow the association to easily update the content and not have to rely upon the Purdue staff for most changes. The web site will continue to handle document posting, directory maintenance, conference/meeting sign ups and fee collection. In the first phase, updates to the ASPCRO website will still be completed by Vickie Cassens (Purdue University) and her staff. ASPCRO will have full content management in the second phase of the project.

The next step is the development of a second web site for use by ASPCRO Committees utilizing the free Drupal content management system (CMS) open source software. This software allows the web site administrators to assign roles and privileges to users to gain web site access. ASPCRO Committee Members will be able to edit and post content to the web site. Template #29068 was selected from TemplateMonster.com. In order to develop and maintain the new web site, select committee members will

need to learn Drupal. Vicki Cassens has offered to provide a 2-hour training webinar as an introduction to Drupal. Numerous training materials and tutorials pertaining to Drupal are available online for free.

A test website will be set up until ASPCRO is ready to move to the new site. The possibility of the new website reveal at the 2012 Annual Meeting was discussed. In addition, Committee Chairs need to put together the content they want on their Committee page, for example photographs, however should avoid company names or other identifiable information. A deadline of June 1 to get webpage information to Doug Edwards was set. The need for a formal process to upload content was discussed, including: How will content be submitted? Will it need Board approval? How will content be controlled? Derrick Lastinger expressed he was comfortable with Committee Chairs deciding what content can be uploaded. Finally, an address for the Committees webpage is needed: ASPCRO-WC, for "working committees", was suggested at the March 5, 2012 Meeting.

MOTION to make webpage address "ASPCRO-WC.org" was made by John Scott (CO). Second, Liza Fleeson (VA). Board unanimously approved motion.

ACTION ITEM: Liza Fleeson (VA) will send an email to all Committee Chairs requesting they submit their Committees draft introductory webpage by June 1, 2012.

#### Green Pest Management Committee

Steve Dwinell (FL), Chair, provided a summary of the activities of the Committee (*see report*).

The Committee has been inactive for approximately two years. The last activities of the Committee included the evaluation of the industry's green credentialing programs (4) in response to the shifting trend towards "green pest control" by the regulated industry. The results of these evaluations are posted on ASPCRO's website. Previous discussions included determining if there is a need to certify providers of green credentialing programs. Currently there does not appear to be a need to verify "green" certified companies as the issues with companies making "green" claims have gone from substantial to minimal. Of course, these issues could come back to the forefront in the future.

Green Building LEED Standards have popped up on the radar and seemingly replaced "green pest control" as the newest issue. The Committee [(Steve Dwinell (FL); Lee Tanner (EPA) and Bob Rosenberg (NPMA)] submitted comment on US Green Building Council's Standards for pest control. These suggestions were incorporated into the standards which are currently going through the adoption process. The current draft standards for pest control in buildings and homes are consistent with IPM. ASPCRO is a member of the US Green Building Council. A new ASPCRO Committee is needed to follow this process and the other activities of the Council. There is also a need for individuals being certified to assess green standards to be trained. This is a good opportunity for ASPCRO to be involved. The new Committee needs to work closely with Integrated Pest Management in Schools Committee to ensure one consistent message. The activities in this area represent a great effort to bring standards in line with what is considered reasonable. Bonnie Rabe (NM) recognized the huge accomplishment in this area to identify LEED standards and make them practical.

PRESIDENTIAL DIRECTIVE – Derrick Lastinger (GA) directed that Building Standards Committee be re-activated and re-named the Green Building Standards Committee. The Green Pest Management Committee is inactive.

Members of the Green Building Standards Committee are Steve Dwinell (FL), Lee Tanner (EPA), Bob Rosenberg, NPMA, Jim Wright (TAP Insulation), Carl Falco (DuPont Professional Products), John Campbell (MS); and Karn Manhas (Terramera).

### Hall of Fame Committee

Nomination submitted by George Saxton (IN), Chair.

### Inspector Training Committee (ITC)

Jay Kelly (IN) provided a summary of the Inspector Training Committees activities (*see report*).

A Structural Pesticide Inspector Residential Training (PIRT) was hosted by the Georgia Department of Agriculture (GDA) in Atlanta at Orkin Training Center in September 2011. The planning for this PIRT was unique as ASPCRO's ITC played a major role in the development of the training event. EPA provided the needed latitude to create the training. Given the logistics for this meeting, there were additional expenses, however GDA did assist with those costs.

Investigators from 29 States participated in classroom and hand-on training including CLEAR, chemistry for Inspectors, interviewing techniques, report writing and mock scenarios (commercial kitchens, grocery store, termites). Post course evaluation indicated that the attendees felt the training was very good, offered real world experience, and wanted to know when the next one would be.

The training concept can be "taken on the road" to other States that have training facilities. The possibility of developing modules that individuals States could use is also being considered by the ITC. In addition, Florida will be hosting his training in 2013.

Jay Kelly (IN) recognized the hospitality of Chris Gorecki (Orkin) and his contribution towards the success of the training.

### Label Stewardship Committee

Bonnie Rabe (NM), Chair, provided a summary of the Committee's activities (*see report*).

The Committee is in the process of developing a guidance document which identifies problematic label language on existing labels and offers alternatives or preferred language that is clear, concise and if appropriate, enforceable. This living document is intended to provide guidance to registrants when developing or amending labels, to SLAs during their respective registration processes and to EPA as a compliment to the Label Review Manual.

The Committee has been focused on the pyrethroids label language most recently. The new language has resulted in a number of questions from SLAs and the regulated industry. The Committee believes the language still needs some clarification and is encouraging EPA to develop a Q&A document to assist stakeholders. In addition, the Committee intends to draft a letter to the EPA expressing concerns with the current label language and offering suggested changes for consideration by the EPA. The Committee is also

looking at current beg bug label language, identifying problem language and making recommendations. Although it is early in the process, there appears to be a lot of variation in this language. It is possible this could be incorporated into the aforementioned guidance document.

### Pest Management in Schools

Mike Page (FL) and Josh Wiley (GA), serve as Co-Chairs. Mike Page provided a summary of Committee activities (*see report*).

The Committee has been monitoring the EPA's IPM Initiative. This national strategy seeks to increase the number of children (K-12) currently covered by a "verifiable" and sustainable school IPM program. SLAs have expressed concerns regarding this initiative including the possibility of mandating through legislation the implementation of school IPM. Central to those concerns is funding (could this be an unfunded mandate?); will SLAs be in charge of regulating the implementation initiatives; as well as related certification requirements for school applicators.

Mike Page offered for consideration by the Board the document "ASPCRO Position on Legislation Requiring School Pest Management". This document is the cornerstone of the Committee's activities and is intended to be a resource for SLAs considering school IPM legislation.

Initial Board discussion included concerns regarding the use of the term "position paper". The Board requested time to review the document outside of the Board Meeting with comments due to Mike Page by May 15, 2012. The target date of June 1 was identified for final consideration by the Board. The document will then be sent to the Membership for input and considered at the Annual Meeting.

### Rodenticide Committee

Bonnie Rabe (NM) and John Scott (CO), serve as Co-Chairs and provided a summary of Committee activities (*see report*).

While supporting the initial Rodenticide Risk Mitigation Decision (RMD), ASPCRO identified some items which were potentially problematic. The Committee was reactivated in 2011 to address issues and concerns raised by SLAs and shared by other Stakeholder groups which resulted from implementation of the risk mitigation measures. The Committee began with the development of a mission statement and goals as well as a review of previous Committee activities and efforts on the RMD.

Numerous efforts to address the RMD were undertaken by the Committee including a letter to EPA in support of changes to the RMD. Of primary concern were the 50 foot limitation and the use of the term "building". ASPCRO requested consideration by EPA of a distance of 100 ft and use of the term "man made structure" instead of "building: in the language on the labels. EPA accepted recommendations of the Committee. The revised EPA language was finalized in March. The Committee believes that the joint training with the EPA also contributed to the revisions (*see previous entry "ASPCRO EPA Field Training"*).

Given the above referenced changes, EPA is seeking information and materials specific to consumers to educate users of the changes. NASDA Foundation is offering grant funding to help with outreach, identify specific needs, and develop materials including, for example, a reference sheets for inspectors on the

different types of products that indicate the particular requirements that need to be in place using a table format for easy reference; and a PPT with a template that can be used by individual States for state specific training. Interested parties are encouraged to formulate a work plan with Carol Ramsey of WA.

The Committee also discussed the issues surrounding the aluminum phosphide language that was placed on labels after the incident in ID (use near single family home). ASPCRO forwarded a set of recommendations which were accepted by EPA and they have been approved. The Committee also provided EPA with recommendation for zinc phosphide. EPA will begin to review those recommendations.

The Committee proposes to develop a work plan for the NASDA Foundation grant for consideration by the Board in the next month or so.

MOTION to have the Committee pursue funding through the NASDA Foundation made by Liza Fleeson. Seconded by John Scott. Motion carried.

Additional discussion included the EPA's cancellation of rodenticides that do not bear the risk mitigation label language. To date, there is no additional information regarding the EPA's efforts. It appears that manufacturers are 'holding back' on product distribution with old label language in anticipation of new label changes. Also, regarding the risk mitigation decision and registering new labels, the old language allowed use on non commensal rodents. Currently use is limited to the house mouse, Norway rats and roof rats with some additional uses no longer allowed. The need for field data to support these continued uses is the issue for most of the registrants. There is no known field work on a number of species although registrants are looking for researchers that have done work in this area. Questions include can lab data suffice and would ASPCRO support this effort. Some SLAs have petitioned to issue 24C registration to address the issue of non commensal rodents, however, multiple 24C requests is not common. These SLNs do put pressure on EPA to again allow use on certain species, for example, in Western States. There is a health concern related to these species. The Board indicated its support in drafting a letter to EPA to support certain uses not currently included on the label. Finally, the need for some type of application that can be queried that can assist users with these complicated labels was discussed, for example, a decision tree. Also, different user groups were discussed as well (consumers, PCOs, inspectors, others). There does seem to be a need for something like this and could certainly be part of the funding requested from the NASDA Foundation.

#### State Meeting Assistance Committee (SMAC)

Jay Kelly (IN), Chair, provided a summary of Committee activities (*see report*).

Since last year, ASPCRO sponsored 4 state compliance training meeting which generated a positive return >\$8000. No other requests for assistance have come to the Committee. It is possible that the new website may offer opportunities for this Committee to become more active, for example, offering interested parties sample flyers, programs and agendas. In addition, it is possible that payments coming directly to ASPCRO – if website offered credit card acceptance – could further enhance use of this meeting assistance option. Discussion included whether or not there is a need for States to offer training modules, for example, for rodenticides, through SMAC? The NPMA ASCPRO Survey would be a means to gather this type of information from SLAs.

#### Termiticide Label Review Committee (TLRC)

Davis Daiker (FL), Chair, provided a summary of the Committee's activities (*see report*).

The Committee met with three registrants and submitted formal comments to the EPA in response to two. While meetings with registrants are closed, the disclosure of information was discussed, specifically, what, if any, information can be shared with SLAs. The Board agreed to review the MOU with the EPA.

#### Termiticide Standards Committee (TSC)

John Campbell (MS), Chair, provided a summary of the Committee activities.

Currently, the Committee is attempting to determine the status of the termiticide efficacy document submitted to EPA, however, is having a difficult time. Obviously, the status is an important factor as the work of the Committees hinges on what EPA does, for example, the Board accepted the Committee's recommendations on termiticides because EPA took over a decade. While it does appear that the EPA is committed to making changes, nothing has been heard yet.

#### **Historian Report**

Bonnie Rabe (NM) indicated that upon receipt of the additional historical records (from Steve Dwinell), the plan is to scan documents and add them to existing information on the website. Also, the Board needs to consider including or developing other historical items, for example, a list of presidents; list of states; hall of fame recipients, etc. A dedicated "history" page could hold all this information.

**WEDNESDAY, April 4, 2012**

#### **New Business**

##### Board Members

No new business.

##### Committee Memberships and Chair Changes

No new Committee membership issues were discussed. New Committee Members include Katherine Fedder (Rodenticide Committee), Dr. Brian Forschler and Lee Tanner (Green Building Standards Committee); and, Karn Manhas and Gabriel Lee (Bed Bug Committee).

##### School IPM – Legislative Position Paper – Mike Page (FL)

See Meeting Minutes from April 3, 2012.

##### Pyrethroids Labeling Issues - Bonnie Rabe (NM)

The pyrethroids labeling issues are being addressed through State FIFRA Issues Research and Evaluation Groups (SFIREG) Pesticide Operations and Management (POM) Working Committee. Bonnie will provide an update of ASPCRO's discussions related to this issue at the next POM Meeting scheduled for May 30 – 31, 2012.

Green Building Standards – Steve Dwinell (FL)

See Meeting Minutes from April 3, 2012 (Green Pest Management Committee).

Professional Association Report / Updates

- AAPCO/POM – Bonnie Rabe (NM)  
A joint Board Meeting was held during the 2012 AAPCO Meeting (March 4-7, Alexandria VA). The meeting provides an opportunity to share information regarding the Association's respective activities and to coordinate when possible on issues of mutual interest. The joint meeting included a brief overview of select ASPCRO Committee activities as well as a discussion of issues including pyrethroids label and rodenticides.
- CTAG - Joe Spitzmueller (MN)  
No report. The next CTAG Conference will be held in 2013
- TPSA – Liza Fleeson (VA)  
The 2012 meeting of The Pesticide Stewardship Alliance was held in Boise ID February 8-9, 2012. Of particular interest was that the meeting included, for the first time, a session that was focused on Non-Ag Stewardship and related issues. The Board agreed to offer ASPCRO's assistance to TPSA should this be included in future activities.

NPMA Update – Bob Rosenberg, NPMA

NPMA is in the final development stages of a survey (~ 31 questions) of SLAs regulation and is seeking both ASPCRO's feedback if the survey questions will be helpful as well as their support prior to dissemination. This type of data was last collected 15 years ago thus needs to be updated. This is a living survey and will likely morph into something beyond what is currently developed. The survey is available at <http://tinyurl.com/ch27178>, and NPMA is requesting that the Board participate in (review and take) the survey and provide comments to Bob or Derrick. In addition, NPMA is requesting that ASPCRO assist in following up with those States that do not participate initially. Comments are requested by next week.

NPMA also wishes to thank ASPCRO for its efforts which contributed to the development of significant label changes within a year (rodenticides). NPMA treasures its relationship with ASPCRO and believes the next big challenge will be pyrethroids label language. EPA has signaled to NPMA that they are willing to work together. While some use patterns have been taken off the label, they are willing to look at returning some of those use patterns back into the label as well as use patterns that are needed but not previously part of the label. The 1<sup>st</sup> goal is outreach. NPMA realized that few PCOs were aware of these changes – they snuck up on all of us and as a result, language is somewhat unclear and resulting in many questions. An additional challenge will be that of multiple generations of labels in the marketplace.

Finally, NPMA indicated that the Endangered Species Act is causing great challenges to PCOs due to ongoing litigation, for example, Pacific NW and northern California. It seems that the plaintiffs always “win” because EPA has failed to complete the consultation process or provide proper guidance/instructions to the user. That brings rise to the second and related issue - use of product in areas where there are restrictions due to endangered species, specifically, how a PCO complies with interim label restrictions / requirements when species are located in small areas that have been sectioned off into a “polygon” and this information is not well known or accessible to an applicator. In many cases, the areas are very specific, for example, an applicator could treat on one side of a street but not on another; or there may be other restrictions, for example, the concentration of a pesticide that can be used. NPMA indicated that some states are planning to make requirements county-wide, which could eliminate the ability to use a pesticide at all. While NPMA recognizes that Ag experiences similar challenges as a result of the ESA, PCOs, unlike Ag, often treat in multiple locations, thus could have multiple bulletins. USGS is working on mapping these areas where endangered species are found. In closing, NPMA extended an invitation for ASPCRO to participate in a conference/webinar with EPA to discuss these issues.

#### RISE Update

No report.

#### Termidor Update and Issue re: Treated Articles – Jim Wright, BASF and TAP Insulation

- Termidor - EPA has backed away from classifying Termidor as an RUP in lieu of a robust stewardship program which targets specific groups including PCOs, nursing home administrator's, taxidermists, and apiculturists given the well documented misuses of this product with bees. The basis of this online stewardship program is the proper use of pesticides. BASF is also looking at other unique and specific groups as part of the program and would welcome assistance from states that have additional groups that need to be included. BASF is using a third party to “listen” to the internet, for example, on blogs and other social media to identify what is being said about Termidor. If there is a “hit” about the misuse of the product, BASF has three levels of response: 1) company contacts the individual directly; 2) letter from the company attorney to the individuals; and 3) contact with the company regarding specific employees. In addition, should other companies be identified that are misusing the product, they will be contacted as well. The stewardship program is slotted to go live within the next week or so. BASF indicated that the stewardship program is tied to customers, however, anyone can go to the website to find information. There is no certification for participating in this program. Regarding notification of SLAs to aid in enforcement in cases of misuse, BASF indicated that has potential to negatively affect their relationship with their customers however also they recognize the negative side of not getting SLAs involved. Given the means by which potential misuse is identified, BASF does not want to alienate customers or drive them from using current social media and communicating underground or in another manner and not be able to reach them. BASF also offered a potential issue - burden of proof - on SLA to prove if a product has been misused. The question was raised if there is a need for the Label Stewardship Committee to review the stewardship program. It was determined that at this time, there is not, however, should there be in the future, the Committee could certainly do so. BASF is also requesting that ASPCRO provide a link from its website.
- TAP Insulation - TAP Insulation (TAP) is a registered pesticide and has been for 10 years. The issue involves unfair competition from contractors attempting to sell an insulation product that is said to provide the same benefit as TAP, however, is not registered as a pesticide. The product in question is

Supreme Plus by Masco with Zone Defense. Zone Defense has cellulose insulation is listed, but no rate or insects listed. TAP is marketed to licensed PCOs – Masco has been contacting top companies nationwide and attempting to sell their product to them claiming that they can do the installation because it is not a pesticide.

The insulation is treated with boric acid (a registered pesticide), however, AI is quite different in concentration. In this case, the competitors are using the exemption provided for in the “treated article clause” in FIFRA part 152. The treated article clause is allowed only if the article needs to be protected (like wood for termites) – competitors have a cellulosic insulation product that does not need to be protected – termites do not eat this stuff, and other pests do not harm this insulation either. To that end, TAP Insulation has talked to OECA and OPP to get them to take action and there is an open investigation into the competitor. TAP Insulation intends to pursue this to its legal end. TAP Insulation cautions ASPCRO that just because someone says it’s a treated article, doesn’t mean that it is – unless the product that is treated requires protection it can’t be a treated article – and is asking SLAs to help stop this by identifying violators and notifying EPA. TAP Insulation requests that SLAs in developing compliance strategy, consider the” fairness doctrine” given that TAP Insulation been playing fair. Discussion included the availability of other similar products – none are known at this time.

## **Annual Meeting**

Hall of Fame Nomination – Submitted

## Resolutions

1. Recognition of Host State; and
2. Recognition of Sponsors

## 2014 and beyond

Locations for meetings beyond 2014 were discussed:

1. Annual Meetings – Locations under consideration include MT (thanks to Linda Johns for offering to assist should Montana be selected) or VT. Florida has committed to 2015.  
Tentative schedule:
  - a. 2013 Atlanta GA (confirmed)
  - b. 2014 Montana or Vermont
  - c. 2015 Florida (committed)
2. Mid-year Meeting – Possible locations discussed include hosting it again in conjunction with AAPCO (March, 2013 in Arlington VA) or in a future host state. There are certain advantages to both. Regarding future host states, we will begin planning for 2014 in the near future and should also consider beginning planning for the 2015 meeting. Site visits are very helpful in the planning process however travel approval can be difficult for all SLAs in addition to also time away (lost productivity) so combining meetings (like in DC), can be helpful. Board proposes that in 2013, we move the mid-year meeting a year in advance (to

2015) and go to FL to do site visits (tentatively scheduled for April 1-3, 2013). Site visits for the 2014 meeting location will be scheduled for Fall 2012.

## **Open To Floor**

### **Inspector Training**

The Board was asked whether ASCPRO would allow the Pest Management University to advertise on their website. The discussion expanded to include other training programs and facility locations and if they could also be posted on the ASCPRO website. It was determined that doing so would provide a valuable resource to SLAs and may assist States to develop Staffs in areas where they may lack expertise, for example, FL has expertise in fumigation whereas another state may not. This could also be an opportunity to expand ASCPRO's State Meeting Assistance activities. Links could be provided from our site. Jay and Mike will work together on this project.

### **Action/ Items for Follow-up**

1. Annual renewals and list of contacts and email addresses;
2. Plan 2013 ASCPRO EPA Field Trip;
3. Committee Chairs - draft short description of committee by June 1 for new website;
4. ASCPRO School IPM position paper – review draft and comment by May 15, send to membership for comments prior to annual meeting;
5. Develop links and training needs; collect information to advertise states training programs on website;
6. ASCPRO/NPMA survey comments to Derrick;
7. ESA webinar in May;
8. Stewardship Website comments ;
9. 2013 Mid-year Meeting in FL – Mike Page to determine location for site visits.

[Submitted by LJ Fleeson 7/30/12; Revised 8/1/12; 8/9/12;8/10/12]

DRY

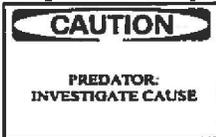
## **APPENDIX B**

# MuseumPests.net

A Product of the Integrated Pest Management Working Group

## Book Lice or Psocids

*Liposcelis sp.*



### GENERAL INFORMATION

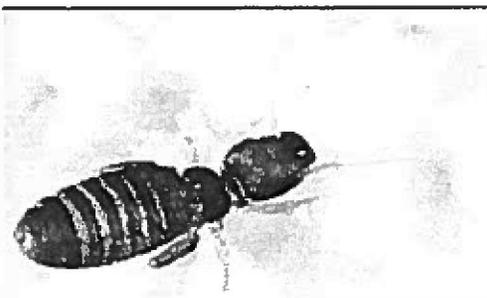
Psocids are known as booklice because of their affinity for damp, moldy books. They are not truly lice and pose no threat to humans or pets. There are 4,408 species on all continents, including Antarctica with about 260 species in the United States and Canada. Booklice are small, and they need high humidity or moisture to live. Psocids are indicator species, indicating past or present dampness. They require foraging temperatures between 9-15°C, do not survive in RH below 50%, and die when temperatures rise above 37°C. Populations can increase rapidly at temperatures over 25°C. Common places for psocid populations to thrive include window sills, under household siding, tree trunks, shrubs, flowers, around garden hoses, under bricks and rocks, around light fixtures and under boxes. Outdoor populations of barklice (in the same family: Psocoptera) can occasionally come inside and be mistaken for booklice. Barklice generally have wings where booklice do not.

### SIGNS OF INFESTATION

Book lice are slow eaters. This means that damage from local populations is usually minor unless populations go unchecked for long periods of time. Booklice may be spotted in the folds of food jackets and in books and magazines.

### FOOD SOURCES

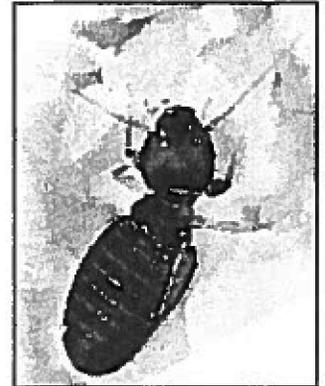
The primary food sources for booklice are microscopic molds and other fungi, found on food, wheat starch paste, paper, etc. Certain species are known to feed on dead insects. They will eat just about anything and are able to change their diet as food availability changes.



### DIAGNOSTIC MORPHOLOGY

#### Adults:

- Less than 4mm in length (usually 1 -2 mm)
- Soft bodied insects, with long, slender antennae and chewing mouthparts
- Common species are wingless
- Outdoor related species of barklice often have wings



#### Immature Stage:

- Incomplete metamorphosis (egg-nymph- adult)
- Nymphs are similar in appearance to adults but smaller
- Young nymphs are paler and sometimes patterned

### LIFE CYCLE

Studies of certain booklice species report that no males occur and that females reproduce parthenogenetically (reproduction without fertilization). These insects undergo simple metamorphosis to develop to maturity. Their white oval eggs may be covered with a crusty material, silk, or debris of various kinds and hatch 21 days after being laid. Eggs are laid in warm (30 °C), humid areas other than where they are feeding. These nymphs will reach sexual maturity in 24 to 65 days, shedding their skins several times as they grow. Booklice may lay anywhere from 20 - 50 eggs, depending on the time of year. Their total life span is from 24 to 110 days. Some species produce only one generation while others may have as many as eight per year, with a single generation completed in as little as 25 days under ideal conditions.

### CONTROL & TREATMENT

The most effective method for controlling booklice is to reduce moisture and environments conducive to mold growth, which the psocids feed upon. Good air circulation, de-humidification, repair of any moisture problems and storage of materials above floor level will help to minimize dampness. If you have psocids expect them to prosper unless the conditions which they seek are changed.

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## Fact Sheet: Book Lice or Psocids

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